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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,687	05/31/2001	Hernan G. Otero	21710-68172	3804
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BUCKLEY, MASCHOFF, TALWALKAR LLC 5 ELM STREET NEW CANAAN, CT 06840			EXAMINER WASYLCHAK, STEVEN R	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/872,687

Applicant(s)

OTERO ET AL.

Examiner

Steven R. Wasylchak

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5,6,11,12,14 and 16-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5,6,11,12,14 and 16-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action in response to the amendment dated Dec. 29, 2004. Examiner has examined Applicant's arguments and is respectfully not persuaded such that prior rejections remain. Claims 2-4, 7-10; 13, 15 are canceled; claims 17-24 are added.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5, 6, 11, 12, 14, 16-24 are rejected under 35 U.S.C. 102(b) as being disclose by Kane (US 6,317,728).

Claims:

1. An apparatus for a computerized trading system comprising:  
- a logic engine comprising an algorithm for implementing a trading strategy;/col 1, L 20-29; abstract: artificial intelligence, decision agents; col 2, L 50-63; col 12, L 14-18  
said first sub-interface allows a user to modify said algorithm by changing a mapping between an event and an action/ abstract: artificial intelligence and feedback modification; col 12, L 10-18  
said second sub-interface allows the user to review details of order executed by the logic engine and/col 11, L 3-18; col 18, L 40-48

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said interface allows the user to navigate among said first and second sub interface./ fig

4; col 3, L 20-50; col 3, L 20-58

5. The apparatus of claim 1 wherein said interface comprises a graphical user interface./inherent fig 1, 4; col 14, L 48-55

6. The apparatus of claim 1 wherein said first sub-interface comprises a graphical user interface./inherent fig 1, 4; col 14, L 48-55

11. (currently amended) The apparatus for claim 1 wherein:

said interface further comprises a third sub-interface which allows the user to monitor operation of a server computer that executes the logic engine: and

said interface allows the user to navigate among said first, second and third sub interfaces./ fig 1, 4; col 10, L 15-67; col 16, L 24-34

12. (currently amended) A method for computerized trading comprising:

- providing a logic engine with a algorithm for implementing a trading strategy,
- providing an interface that includes a first sub-interval and a second sub-interface
- using the first sub interface to modify said algorithm by changing a mapping between an event and an action
- processing a trade using said logic engine with said modified algorithm; and
- using the second sub interface to review details of orders executed by the logic

engine./refer all to claim 1

14. (currently amended) An interface used in a computerized trading system said interface comprising:

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a first sub interface for modifying an algorithm by changing a mapping between an event and a action, said algorithm used in said computerized trading system to implement a trading strategy and /

a second sub-interface for reviewing details of order executed by the computerized trading system/

wherein said interface allows a user to navigate among said first and second sub interfaces./ all refer to claim 1

16. (currently amended) The interface of claim 14 wherein said interface comprises a graphical user interfaces./ refer to claim 5

17. (new) The apparatus of claim 1, wherein the trading strategy is selected from the group consisting of:

(a) a Volume-Weighted-Average-price strategy;

(b) a Ratio strategy;/ col 7, L 1-6 (percent is a ratio)

(c) a Gamma Hedge strategy;

(d) an Iceberg strategy; and

(e) a CB Delta Hedge strategy.

18. (new) The apparatus of claim 1, wherein the first sub-interface includes an event editor interface/ fig 3 center: trade and quote info arrive; a condition editor interface /fig 3 (1:market conditions,etc.)(2:certainity check)(3: check for and select highest scoring equity) and an action editor interface./fig 3 (4: take a position)(9: order and confirmation to Specialist or Broker)

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19. (new) The method of claim 12, wherein said interface also includes a third sub-interface, and the method further comprising:

using said third sub-interface to monitor operation of a server computer which executes the logic engine./fig 1, 4; col 10, L 15-67; col 16, L 24-34

20. (new) The method of claim 12, wherein the trading strategy is selected from the group consisting of:

(a) a Volume-Weighted-Average-price strategy,

(b) a Ratio strategy;/ refer to claim 17

(c) a Gamma Hedge strategy;

(d) an Iceberg strategy; and

(e) a CB Delta Hedge strategy.

21. (new) The method of claim 12, wherein the first sub-interface includes an event editor interface, a condition editor interface and an action editor interface./refer to claim 18

22. (new) The interface of claim 14, wherein

said interface also includes a third sub-interface for monitoring operation of the trading system, and

said interface allows a user to navigate among said first, second and third sub-interfaces./refer to claim 19

23. (new) The interface of claim 14, wherein the trading strategy is selected from the group consisting of:

(a) a Volume-Weighted-Average-price strategy,

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(b) a Ratio strategy;/refer to claim 17

(c) a Gamma Hedge strategy;

(d) an Iceberg strategy; and

(e) a CB Delta Hedge strategy.

24. (new) The interface of claim 14, wherein the first sub-interface includes an event editor interface, a condition editor interface and an action editor interface./refer to claim 18

This action is **FINAL**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak



4/3/05



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600